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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,940	02/10/2004	Tomoshi Hirayama	09792909-5762	3180
26263	7590	06/23/2006	EXAMINER	
SONNENSCHN NATH & ROSENTHAL LLP			CHOW, DOON Y	
P.O. BOX 061080			ART UNIT	
WACKER DRIVE STATION, SEARS TOWER			PAPER NUMBER	
CHICAGO, IL 60606-1080			2629	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/775,940

Applicant(s)

HIRAYAMA, TOMOSHI

Examiner

Dennis-Doon Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Double Patenting***

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claim 13 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6507342. Although the conflicting claims are not identical, they are not patentably distinct from each other because the following reasons.

Claim 13 of the present application	Claim 1 of the patent
An information processing apparatus comprising: a display device configured to visually present information as an electro-optical image;	An information processing apparatus, comprising: a storage device configured to store image data, wherein the image data is comprised of a distinctive mark that indicates an identity of an owner; a

an input device formed on the display device and configured to input information from an owner;

a storage device configured to store owner information inputted from the input device by the owner and to store a plurality of documents inputted from the input device by the owner;

a processor coupled to the display device, the input device and the storage device, and configured to execute the processes of:

- (1) displaying a first icon that can be used for opening a registration page;
- (2) displaying a second icon that can be used for opening an information page;
- (3) displaying the registration page on the display device as an electro-optical image, responsive to the first icon being selected using the input device;
- (4) inputting owner information written on the registration page by the owner using the input device;
- (5) storing the owner information inputted by the owner in the storage device;
- (6) displaying the information page on the display device as an electro-optical image, responsive to the second icon being selected using the input device;
- (7) inputting document information written on the information page by the owner using the input device;
- (8) automatically adding the owner information at a predetermined position on the information page by duplicating the owner information stored in the storage device;
- (9) storing the document written on the information page and the owner information added on the information page in the storage device; and
- (10) displaying the document with the owner information added automatically, when the document stored in the storage

processor coupled to the storage device and configured to process information into a plurality of pages, wherein each page is configured to be visually presented as an electro-optical image, wherein the processor further is configured to determine whether a predetermined process is performed with respect to a page, and wherein the processor is configured to automatically store the distinctive mark at a predetermined position on each page for which the predetermined process is performed; and a display coupled to the processor and configured to visually present each page as an electro-optical image, wherein, for each page in which the predetermined process is performed, that page is configured to be visually presented by the display with the distinctive mark and wherein, for each page in which the predetermined process is not performed, that page is configured to be visually presented by the display without the distinctive mark.

device is opened by the owner.	
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The apparatus of the patent claim inherently comprises an input device for inputting input information. The patent claim does not disclose display a first icon that can be used for opening an owner registration page, and displaying a second icon that can be used for opening an information page. However, using an icon on a display screen to represent a page of data is well known in the art. Thus, it would have been obvious to one of ordinary skill in the art to use the icons on the display of the patented claim to represent the owner registration page and the information page so that the owner registration page and the information page can be attained easily and quickly.

3. Claim 13 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6791546. Although the conflicting claims are not identical, they are not patentably distinct from each other because the following reasons.

Claim 13 of the present application	Claim 1 of the patent
An information processing apparatus comprising: a display device configured to visually present information as an electro-optical image; an input device formed on the display device and configured to input information from an owner; a storage device configured to store owner information inputted from the input device by the owner and to store a plurality of documents inputted from the input device	An information processing apparatus, comprising: a storage device configured to store owner information, wherein the owner information is comprised of a distinctive mark that indicates an identity of an owner; a processor coupled to the storage device and configured to process information into information pages, wherein the page is configured to be visually presented as an electro-optical image, wherein the processor further is configured to determine whether a

by the owner;
a processor coupled to the display device,
the input device and the storage device,
and configured to execute the processes
of:
(1) displaying a first icon that can be used
for opening a registration page;
(2) displaying a second icon that can be
used for opening an information page;
(3) displaying the registration page on the
display device as an electro-optical image,
responsive to the first icon being selected
using the input device;
(4) inputting owner information written on
the registration page by the owner using
the input device;
(5) storing the owner information inputted
by the owner in the storage device;
(6) displaying the information page on the
display device as an electro-optical image,
responsive to the second icon being
selected using the input device;
(7) inputting document information written
on the information page by the owner
using the input device;
(8) automatically adding the owner
information at a predetermined position on
the information page by duplicating the
owner information stored in the storage
device;
(9) storing the document written on the
information page and the owner
information added on the information page
in the storage device; and
(10) displaying the document with the
owner information added automatically,
when the document stored in the storage
device is opened by the owner.

predetermined process is performed with
respect to the page, and wherein the
processor is configured to automatically
store the distinctive mark at a
predetermined position on the page for
which the predetermined process is
performed; and a display coupled to the
processor and configured to visually
present the page as an electro-optical
image, wherein, for the page in which the
predetermined process is performed, that
page is configured to be visually presented
by the display with the distinctive mark and
wherein, for the page in which the
predetermined process is not performed,
that page is configured to be visually
presented by the display without the
distinctive mark.

The apparatus of the patent claim inherently comprises an input device for
inputting input information. The patent claim does not disclose display a first icon that

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can be used for opening an owner registration page, and displaying a second icon that can be used for opening an information page. However, using an icon on a display screen to represent a page of data is well known in the art. Thus, it would have been obvious to one of ordinary skill in the art to use the icons on the display of the patented claim to represent the owner registration page and the information page so that the owner registration page and the information page can be attained easily and quickly.

Allowable Subject Matter

4. Claim 13 is allowable over the prior art of record.

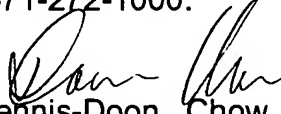
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis-Doon Chow whose telephone number is 571-272-7767. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571-272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Dennis-Doon Chow
Primary Examiner
Art Unit 2629

June 21, 2006